

Federal Defenders
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November 17, 2021

Via ECF

The Honorable Vernon S. Broderick
United States District Judge
United States District Court
Southern District of New York
40 Foley Square
New York, New York 10007

Re: *United States v. Andrew Franzone*, 21 CR 446 (VSB)

Dear Judge Broderick:

The parties write jointly to propose modifications to the conditions for Mr. Franzone's release, set on June 24, 2021 by Magistrate Judge Aaron at Mr. Franzone's initial presentment. Mr. Franzone and his family were financially unable to satisfy the cash component set by Judge Aaron and, as a result, Mr. Franzone has remained detained since his presentment. The parties agree that the following modified conditions of release, which Mr. Franzone and his family can meet, satisfy the Bail Reform Act. Accordingly, we ask that the Court order Mr. Franzone released subject to the following conditions:

- A \$2,000,000.00 personal recognizance bond; secured by Mr. Franzone's parents' retirement account at Merrill Lynch valued at around \$100,000.00; co-signed by Mr. Franzone's parents—Peggy and Andrew Franzone, and Mr. Franzone's sister—Jean Franzone.
- Mr. Franzone's travel is limited to the Southern and Eastern Districts of New York.
- Mr. Franzone must surrender his travel documents and he is not permitted to make new applications.
- Mr. Franzone will be supervised by Pretrial Services and his supervision will include home detention enforced by electronic monitoring. Mr. Franzone will reside with his parents. He will be permitted to self-install the monitoring equipment at the direction of Pretrial Services.
- Mr. Franzone may not possess firearms, destructive devices, or weapons,

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and he must surrender his weapons permit and surrender any firearms to local authorities. Mr. Franzone will submit proof of surrender to Pretrial Services.

- Mr. Franzone is not to maintain or seek employment in the securities industry.
- Mr. Franzone is prohibited from contacting victims or witnesses, other than family members, except in the presence of counsel (and the government will provide a list identifying victims and witnesses).
- Mr. Franzone is to be released when three co-signers execute the bond. All remaining conditions must be met within seven business days of his release.

Respectfully submitted,

/s/ Julia Gatto

Julia L. Gatto, Esq.

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cc: AUSA Kiersten Fletcher (via ECF)